

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

East Godavari District – Withdrawal of prosecution against Sri Thota Trimurthulu, Ex-MLA, Ramachandrapuram in Cr.No.117/2006, under sections 447, 323 and 506 read with section 34 of the Indian Penal Code, 1860 of Sarpavaram Police Station, pending before the Hon'ble IV-Addl.Judicial First Class Magistrate Court, Kakinada vide CC No.17/2008 - Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 1335

Dated:28.07.2012
Read the following:

1. Representation of Sri Thota Trimurthulu, Ex-MLA, Ramachandrapuram, Dt:31.03.2011.
2. Govt.Memo.No.11286/Courts.B2/2011, Dt:02.05.2011.
3. From the Director General of Police, A.P., Hyderabad, Lr.Rc.No.2006/Compts-1/2011, Dt:21.10.2011.
4. From the D.G.P., A.P., Hyderabad, Lr.Rc.No.2006/Compts-1/2011, Dt:24.11.2011.

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ORDER:

Sri Thota Trimurthulu, Ex-MLA, in the letter 1st read above, has represented that based on the false report, a case in Cr.No.117/2006 was registered against him, and, for the reasons mentioned therein, requested to withdraw prosecution pending before the Hon'ble IV-Addl.Judicial First Class Magistrate Court, Kakinada vide CC No.17/2008.

2. The Director General of Police, Andhra Pradesh Hyderabad in the letter 3rd read above, in view of the report of the Superintendent of Police, East Godavari District and for the reasons mentioned therein has not recommended for withdrawal of prosecution against Sri Thota Trimurthulu, Ex-MLA, Ramachandrapuram in Cr.No.117/2006, under sections 447, 323 and 506 read with section 34 of the Indian Penal Code, 1860 of Sarpavaram Police Station, pending before the IV-Addl.Judicial First Class Magistrate Court, Kakinada vide CC No.17/2008.
3. The Director General of Police, Andhra Pradesh, in the letter 4th read above, has furnished the opinion of the Asst.Public Prosecutor concerned who has opined that it is not a fit case to proceed further in the absence of material evidence on record, to prove the guilt of the accused beyond reasonable doubt under sections 447, 323 and 506 IPC read with section 34 of Indian Penal Code, 1860.
4. Government after careful examination of the matter, hereby decided to withdraw prosecution against Sri Thota Trimurthulu, Ex-MLA, Ramachandrapuram in Cr.No.117/2006, under sections 447, 323 and 506 read with section 34 of the Indian Penal Code, 1860 of Sarpavaram Police Station, pending before the IV-Addl.Judicial First Class Magistrate Court, Kakinada vide CC No.17/2008.
5. The Collector and District Magistrate, East Godavari District is directed to instruct the Assistant Public Prosecutor concerned to apply his mind duly following the guidelines issued in G.O.Ms.No.54, Law (LA&J-Home-Courts-B) Department, Dt:30.03.2000 and take appropriate steps to file a petition under section 321 of the Code of Criminal Procedure, 1973 for withdrawal of prosecution in CC No.17/2008 pending before the IV Additional Judicial First Class Magistrate Court, Kakinada, arising out of Cr.No.117/2006 under sections 447, 323 & 506 read with section 34 of the Indian Penal Code, 1860 of Sarpavaram Police Station registered against Sri Thota Trimurthulu as Ex-MLA under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.SHANKAR NARAYANA,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE

To

The Collector & District Magistrate, East Godavari at Kakinada.

The Director General of Police, A.P., Hyderabad.

The Superintendent of Police, East Godavari at Kakinada

The Asst.Public Prosecutor concerned (thro' Collector concerned)

Copy to:

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// forwarded :: by order //

Section Officer